

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|----------------------------------|---|-------------------|
| AMCO PRODUCE, INC., |) | 4:05CV3114 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | MEMORANDUM |
| |) | AND ORDER |
| |) | |
| FARMERS PREMIUM PRODUCE, |) | |
| LLC, a Nebraska corporation; |) | |
| DEBRA CRUISE, individually; |) | |
| RANDY V. CRUISE, individually; |) | |
| CT FARMS LTD, a Nebraska |) | |
| corporation; and PLAINS PRODUCE, |) | |
| LLC, a Nebraska corporation, |) | |
| |) | |
| Defendants. |) | |

Plaintiff has filed a motion to dismiss without prejudice its action against Plains Produce, LLC, only. There is no opposition to the motion, and no just reason for delay in entering a judgment of dismissal with respect to such Defendant pursuant to Fed. R. Civ. P. 54(b).

Accordingly,

IT IS ORDERED that Plaintiff's motion to dismiss without prejudice (filing 11) is granted, and that Plains Produce, LLC, is no longer a party to the action. Judgment shall be entered by separate document.

July 8, 2005.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge